



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

January 6, 2011

Mr. Dan Check
P.O. Box 3271
Meridian, Mississippi 39303

Dear Mr. Check:

Thank you for your December 9, 2010, facsimiles to Lisa Jackson, Administrator of the U.S. Environmental Protection Agency (EPA), and Gwendolyn Keyes Fleming, Regional Administrator for EPA Region 4, concerning the permit status of the Miller Cattle Company located on 5125 Old Highway 45 N, in Meridian, Mississippi, and potential permit violations. Your facsimile to Lisa Jackson was forwarded to the EPA Region 4 office in Atlanta, Georgia, for response.

In your facsimiles, you refer to the Miller Cattle Company as a concentrated animal feeding operation (CAFO). Although the Miller Cattle Company falls in the size range of a medium CAFO (300 to 999 cows), the definition also requires that there is a discharge of animal waste or wastewater into waters of the United States. On June 8, 2010, the Miller Cattle Company was issued a State of Mississippi Water Pollution Control permit, Permit No. MSU008027, that specifically instructs the facility to not discharge pollutants into surface water, by requiring the cattle to be kept under a roof and the manure to be kept in a covered dry waste storage facility. As was mentioned in a June 10, 2010, EPA Region 4 response to you, from Mr. Stanley Meiburg, Acting Regional Administrator, prior to receiving a state operating permit, the Miller Cattle Company was required, by an agreed order, to keep all cattle under roof to ensure surface water did not come into contact with animal waste products.

Your facsimiles included photos with the heading "continued pollution of Sowashee Creek." Unfortunately these photos were not clear in the facsimile; therefore, my staff was unable to determine if there was any photographic evidence that would indicate the Miller Cattle Company was not complying with its permit requirements. After receiving your facsimile, my staff contacted the Mississippi Department of Environmental Quality (MDEQ) to determine if MDEQ had received any complaints concerning this facility since the permit had been issued. MDEQ had not received any complaints that the Miller Cattle Company was not complying with its permit.

If you have evidence that the Miller Cattle Company is not in compliance with its permit, please contact the MDEQ complaint line at (601) 961-5171 and provide this information to MDEQ so they can investigate the issue of concern. If you continue to have concerns after contacting MDEQ, please contact Ms. Stacey Bouma, of my staff, so that EPA can follow up appropriately.

We appreciate your desire to protect and preserve the environment and hope you find this information helpful. If we may be of further assistance, please contact Ms. Stacey Bouma at (404) 562-9392 or by email at bouma.stacey@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Keyes Fleming', written in a cursive style.

/s/ Gwendolyn Keyes Fleming
Regional Administrator

cc: Ms. Trudy Fisher
Executive Director
Mississippi Department of Environmental Quality